Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at http://about.jstor.org/participate-jstor/individuals/early-journal-content.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

v. *Brason*, 6 Ired. 425; *Cook* v. *Moore*, 100 N. C. 294; *Summerlin* v. *Cowles*, 107 N. C.

Mr. *Charles U. Williams*, for Glenn's Administrator.

(Copy of the order of Supreme Court of Appeals on the foregoing petition.)

VIRGINIA: In the Supreme Court of Appeals, held in the State Library Building, in the city of Richmond, on Thursday, the 6th day of November, 1900.

SOUTHERN RAILWAY COMPANY, Appellant,

against

JOHN GLENN, JR., Personal Representative of John Glenn, deceased, Appellee.

Upon a motion of the appellant, by counsel, to correct certain errors in the decree pronounced in this cause by this court at its place of session at Wytheville, on June 15th, 1900.

On mature consideration of said motion, the prayer thereof is denied and said motion is dismissed.

A copy—teste:

GEO. K. TAYLOR, C. C.

LANTZ V. MASSIE'S EXECUTRIX.*

Supreme Court of Appeals: At Richmond.

November 21, 1901.

1. ESTATES—*Vested remainder defeasible by condition subsequent.*—A remainder so limited as to have a present capacity of taking effect in possession of a person *in esse* and ascertained, immediately upon the termination of the particular estate, is vested. And the fact that such a remainder is so limited that it may be divested, either in whole or in part, by reason of a condition subsequent, will not prevent it from being a vested remainder.

2. WILLS—*Case in judgment—Vested remainder—Sale by life tenant under Act of February 18, 1898.* A testator devised realty to his wife "to have and to hold during her natural life, and then to be divided among my children by will or otherwise, as she may deem best and right."

Held:

1. The devise created a vested remainder in the children of the testator living at his death, the words "then to be divided" relating merely to the time of the enjoyment of the estate, and not to the time of the vesting of the interest. And the character of the remainder is not affected by the power of appointment.

2. A sale of the land devised may be decreed upon the suit of the life tenant under Act of March 18, 1898.

Appeal from a decree of the Circuit Court of Frederick county pronounced December 1, 1899, in a chancery cause therein pending

* Reported by M. P. Burks, State Reporter.

in the name of *Massie's Executrix* v. *Massie and Others*, in which appellant became a party by the purchase of certain lands mentioned in said suit. *Reversed.*

J. P. Whitaker, for the appellant.

Harry R. Kearn, for the appellee.

KEITH, P., delivered the opinion of the court.

The will of Thomas W. Massie contains the following provision: "I will and bequeath to my beloved wife, Elizabeth Virginia Massie, all of my estate of every description, real, personal and mixed, to have and to hold during her natural life, and then to be divided among my children by will or otherwise, as she may deem best and right," and appoints his wife sole executrix.

In March, 1899, the executrix filed her bill as life tenant, setting forth the above quotation, stating that the land was depreciating in value, and that the interest of her children would be promoted by its sale and the reinvestment of the proceeds thereof; that she believed $1,000 to be a fair price for the land, and that one Josiah Lantz had offered that amount upon the terms of one-third cash and the balance in one and two years, with interest, secured by deed of trust. Depositions were taken in support of the bill, and a decree was rendered at the March term, 1899, accepting the offer of Lantz, authorizing conveyances to be made to him, and directing the proceeds of sale to be invested.

At a subsequent term, the court "being of opinion that Elizabeth V. Massie, the plaintiff in the bill, had no right to institute this suit in her own name to sell the land devised to her and her children by the last will and testament of T. W. Massie, deceased, as set forth in the record in this suit, but that such suit, if brought at all, should have been brought in the name of the guardian of the infant defendant, William Massie, and that the court has not jurisdiction in this suit to sell said land. On consideration whereof the court doth adjudge, order, and decree (of its own motion) that this suit be dismissed at the costs of the plaintiff, Elizabeth V. Massie. But the dismissal of this suit is not to prejudice in any way the right of said Josiah Lantz to take such steps as he may be advised to assert any rights that he may have against the parties to this suit, or any one or more of them, by reason of any of the matters set forth in the papers of this suit."

There were other proceedings in the case, but this statement presents the facts sufficiently for our present purpose.

By an act passed February 18, 1898, p. 404, it is provided that "When an estate, real or personal, is given by deed or will to any person for his life or the life of another, with vested remainder to another, whether the remainderman be an infant or adult, it shall be lawful for the circuit and corporation courts, or such court having jurisdiction of the subject matter, upon a bill filed by the person holding the estate for life, in which bill all persons interested shall be made defendants, to decree a sale of such estate, real or personal, and to invest the proceeds of sale under the decree of the court for the use and benefit of the person holding the estate, subject to the limitations of the deed or will creating the estate; provided, however, that the bill of the plaintiff shall set forth the facts which, in his opinion, would justify the sale of the said estate, to be verified by the affidavit of the party, and provided, further, that sections twenty-four hundred and thirty-three, twenty-four hundred and thirty-four, and twenty-four hundred and thirty-five of the Code of Virginia shall apply to the proceedings upon said bill."

The Circuit Court was of opinion that this statute did not apply, because the will of T. W. Massie created a contingent and not a vested remainder in his children.

"A vested remainder is a remainder limited to a certain person and on a certain event, so as to possess a present capacity to take effect in possession should the possession become vacant."

"The present capacity to take effect in possession if the possession were to become vacant, and not the certainty that the possession will become vacant before the estate limited in remainder determines universally, distinguishes a vested remainder from one that is contingent." Fearne's Remainders, 215; 2 Minor Inst. 337; *Crews* v. *Hatcher*, 91 Va., at page 381.

"Courts always favor the vesting of estates, and therefore, in doubtful cases, lean in favor of construing language as creating vested rather than contingent remainders." *Crews* v. *Hatcher*, *supra*.

"There is indeed nothing better settled than that all devises are to be construed as vesting at the testator's death, unless the intention to postpone the vesting is clearly indicated in the will." *Chapman* v. *Chapman*, 90 Va. 411.

"When a remainder is limited to a person *in esse* and ascertained, to take effect by express limitation, on the termination of the preced-

ing particular estate, the remainder is unquestionably vested." Preston, Estates, 70.

This rule is thus stated with more fullness by the Supreme Court of Massachusetts: "Where a remainder is limited to take effect in possession, if ever, immediately upon the determination of a particular estate, which estate is to determine by an event that must unavoidably happen by the efflux of time, the remainder vests in interest as soon as the remainderman is *in esse* and ascertained, provided nothing but his own death before the determination of the particular estate will prevent such remainder from vesting in possession; yet if the estate is limited over to another in the event of the death of the remainderman before the determination of the particular estate, his vested estate will be subject to be devested by that event, and the interest of the substituted remainderman which was before either an executory devise or a contingent remainder, will, if he is *in esse* and ascertained, be immediately converted into a vested remainder." *Blanchard* v. *Blanchard*, 1 Allen, 227.

In 4 Kent's Com. 282, it is said: "This has now become the settled technical construction of the language and the established English rule of construction." *Doe* v. *Prigg*, 8 Barn & Co. 231. It is added: "It is the uncertainty of the right of enjoyment, and not the uncertainity of its actual enjoyment, which renders a remainder contingent. The present capacity of taking effect in possession—if the possesion were to become vacant—distinguishes a vested from a contingent remainder, and not the certainty that the possession will ever become vacant while the remainder continues." *Williamson* v. *Field*, 2 Sandf. Ch. 533.

In *Myers* v. *Adler* (Supreme Court District of Columbia), 1 L. R. A. 435, it is said: "The test of a vested remainder is its present capacity to take effect in possession whenever the prior estate shall determine; that is, if the remainderman has the right in case of a sudden determination of the prior estate, immediately to go in and take possession, the remainder is vested."

"Applying that test to the present case. At any time during the widow's life, if she had suddenly died, the trustees could have entered into possession. Their remainder was therefore vested. A remainder is none the less vested because it is liable to be devested or destroyed. For example, if an estate be limited to A for life, remainder to such uses as B shall appoint, and, in default of such appointment, remainder to C, the remainder to C would be vested, because at any moment

when A should die C would be entitled, at once, to enter into possession, but it would be simply subject to be devested by the exercise of the power of appointment. So, also, if an estate be limited to one for life and remainder over to his children, present and future, the present children have a vested remainder, liable to be devested *pro tanto* in favor of the afterborn children. Nor does the liability of the particular estate to be defeated by a breach of the condition subsequent make the remainder any the less a vested remainder."

The law does not favor the abeyance of estates, and never allows it to arise by construction or implication. Com. Dig. Abeyance, A. E.; *Catlin* v. *Jackson*, 8 Johns. 549; *Ekins* v. *Dormer*, 3 Atk. 534; *Crews* v. *Hatcher*, *supra*.

In *Blanchard* v. *Blanchard*, 1 Allen, 277, it is said: "Where a remainder is so limited as to take effect in possession, if ever, immediately upon the determination of a particular estate, which estate is to determine by an event which must unavoidably happen by the efflux of time, the remainder vests in interest as soon as the remainderman is *in esse* and ascertained; provided nothing but his own death before the determination of the particular estate will prevent such remainder from vesting in possession. Yet, if the estate is limited over to another in the event of the death of the first remainderman, before the determination of the particular estate, his vested estate will be subject to be devested by that event; and the interest of the substituted remainderman, which was before either an executory devise or a contingent remainder, will, if he is *in esse* and ascertained, be immediately converted into a vested remainder."

The devise under consideration to the wife, Elizabeth V. Massie, for life, "and then to be divided among my children or otherwise as she may deem best," comes within the definition and illustration of vested remainders. There would clearly seem to be a present capacity upon the part of the children living at the death of the testator to take at the instant that the life estate terminated, and the words, "then to be divided," relate merely to the time of the enjoyment of the estate, and not the time of the vesting in interest. *Poor* v. *Considine*, 6 Wallace, 458.

Nor is the character of the remainder affected by the power of appointment. Sugden on Powers, 8th ed., at page 453.

"The fact that a remainder is so limited that it may be divested either in whole or in part, upon a subsequent occurrence, will not prevent it from being a vested remainder." *Poor* v. *Considine*, 6 Wall, 458.

And in the same case, at p. 285, it is said "that a remainder might be vested, although by the will by which it is created there is given to a trustee a power whose exercise may destroy the interest, and it has been held that a remainder may be vested, although the contingency which is to cause its divestiture is within the control of the particular tenant."

Having reached the conclusion that the will creates a vested remainder in the children living at the death of the testator, the case is within the statute of February, 1898, and it follows that the Circuit Court erred in dismissing the suit.

The record is not in a condition to justify our passing upon the merits of the controversy, and we will therefore remand the case to be further proceeded in by the Circuit Court. *Reversed.*

NOTE.—The construction of the limitation here involved, to my wife for life "*and then to be divided among my children by will or otherwise as she may deem best and right*," presents some difficulty.

If the clause italicized gives the wife a power of appointment among *such of the children* "as she may deem best and right"—that is a discretion to the donee of the power to select the children in whose favor it is to be exercised—a not unreasonable construction—then the ruling that the children took vested remainders is questionable. Under this construction, until the power was exercised certainly no child took any remainder at all—vested or contingent.

If, on the other hand, the true construction be that the power was what is known as a "power in trust"—that is, a power that is mandatory, and one in which discretion in nominating the beneficiaries is excluded, and on failure to exercise which a court of equity will itself exercise it (Bispham's Eq. sec. 77; Perry on Trusts, sec. 248 *et seq.*), then the interest of each child was doubtless a vested remainder, as held. But this requires that the clause "*as she may deem best and right*" be construed as referring, not to the wife's right to select among the children, but merely to the method by which the power is to be exercised—that is, "by will or otherwise, as she may deem best and right." That this was not the view of the court, however, is strongly suggested by the language of the opinion in the discussion of the appointment feature. Attention is called to the last four paragraphs of the opinion, in which the court seems to concede that under the exercise of the power some of the children might be excluded. If so, and the interest of any child depended on the exercise by the wife of the power of appointment, then, as already stated, no child had any remainder vested or contingent. The law quoted in the last paragraphs of the opinion does not apply to such a case as this—where the remainder is to *arise* by the exercise of the power—but to cases where a vested remainder is subject to be *divested* by the exercise of the power. This distinctly appears from the quotations.

The ruling that each child living at the death of the testator took a vested remainder, may be sustained only on the construction that this power of appointment in the wife gave her no discretion as to the objects of the testator's bounty,

but only as to the method of its bestowal. With this construction we have no fault to find—since, in case of doubt, the leaning should be toward the vesting of estates—nor with the conclusion of the court that the remainders were vested. But there is grave doubt whether this was the view in the mind of the court.

Another more serious question in this case, apparently not raised in the argument, is the constitutionality of the statute under which this suit was brought. The statute in question was passed in 1898 (Acts 1897-8, p. 404), and authorizes the courts, at the suit of a life-tenant, to sell vested remainders in real or personal estate, whether the remaindermen be infants or *adults*.

Nothing is better settled than that the State, as *parens patriae*, in the exercise of its fostering care over infants, insane persons and others under disability, may authorize sale of their real estate, when deemed to their best interests. Statutes authorizing the exercise of such jurisdiction exist in probably all of the States, and have uniformly been held constitutional. See Cooley's Const. Limitations (6th ed.) pp. 115-128. And so with contingent interests, even where the persons interested are *sui juris*—though with a strong dissent in *Brevoort* v. *Grace*, 53 N. Y. 245. Provision has long existed in Virginia for the sale of the lands of persons under disability, of contingent interests, and of lands for partition when partition in kind is not feasible. Va. Code, sec. 2616—infants and insane persons and trust estates; sec. 2432—contingent estates; sec. 1703—lunatics; sec. 2609—infants; sec. 2564—partition; sec. 3641—infants; 2523-2625—dower of infant or insane wife. It is generally conceded that the exercise of jurisdiction to sell in such cases is fairly within the scope of the police power. See cases cited below.

But the courts have with practical unanimity declined to uphold statutes which authorize the sale of *vested* interests in real estate belonging to *adults* not under disability—save when essential for purposes of partition.

In *Gossom* v. *McFerran*, 79 Ky. 236, it was held that section 491 of the Civil Code, in so far as it authorized the sale of real estate upon the petition of the life tenant, in opposition to the wishes of the owner of the fee, where the latter is not laboring under the disability of infancy, or of unsound mind, was unconstitutional, and that so long as the citizen is under no legal disability to act for himself in the management of his property he is protected by the Constitution from interference on the part of the State. The facts in that case were that a dowress in a house and lot sold and conveyed her interest to another. The house was subsequently destroyed by fire, and the life-tenant being unable to rent the lot in its unimproved state, instituted an action under the statute against those who were the owners of the fee in remainder, seeking a sale and reinvestment under the direction of the court. The remaindermen objected to the sale of their interest in the land, and from a decree directing the sale and reinvestment appealed. The Court of Appeals reversed the judgment of the lower court and remanded the cause, with directions to dismiss the petition, saying:

"The only question we will consider is whether section 491 of the Civil Code, in so far as it authorizes the sale of the property of an adult, not under the disability of infancy, and not of unsound mind, is unconstitutional. After a careful consideration and full investigation, we have concluded that the section referred to, and to the extent indicated, is *unconstitutional*. It operates in effect to take the property of one individual and transfer it to another, when neither is under such disability as to require the guardianship of the courts. Where any of the

citizens are incapacitated to act for themselves, it becomes the duty of the State to protect their interests, and it is upon this idea and for this reason that jurisdiction has been conferred upon the courts to sell and reinvest the proceeds of property belonging to such persons when in the judgment of the court it is to their interest. The court acts and consents for them because they cannot act or consent for themselves. But so long as the citizen is under no legal disability to act for himself in the management of his property he is protected by the Constitution from interference on the part of the State, whether that interference comes directly by legislative act, operating immediately upon the property, or intermediately through the courts.

"There may be cases of tenancy in common, or even of joint tenancy, where the courts can be authorized to sell the property so held, and one of the joint tenants or tenants in common, who is *sui juris*, refuses, without reason, to sell. But even in that case there would be no power in the court by any legislative enactment to reinvest the proceeds of the property of the recalcitrant tenant. Such cases, as said by Chief Justice Lewis in *Kneass's Appeal*, 31 Pa. St. 57, are placed on the ground of 'the necessities of justice.' In all such cases where sales have been sanctioned there was a joint ownership in fee and a joint right of possession, conditions not existing in this case. In addition to these cases, it has been held that when the interest is *not vested*, but *contingent*, a sale might be had without the consent of the contingent remainderman.

"In the case under consideration the party seeking to have the fee disposed of against the will of the owner has only a qualified or limited interest, that may be terminated at any moment. She has in no way been interfered with by appellants in the enjoyment of what estate she has in the property, and if the property is not so productive to her, by reason of the burning of the house, it is her misfortune, which operates with detriment to appellants as well as to appellee, and that without any fault of appellants. To hold that a life tenant, when it may appear to be to his or her interest, may go into a court of equity, and in opposition to the wish of the remainderman, have the fee sold and the proceeds reinvested, would operate to destroy estates in remainder. It will not do to say that the court first determines that it will be to the interest of the remainderman before a sale will be authorized. The court has no right to appoint a guardian for one who is *sui juris*, nor to consent for or to act for him. So long as the person is not disabled to manage the property, his or her judgment must determine the question as to whether a sale would be to his or her interest, unless in the case of tenancy in common and joint tenancy heretofore mentioned. . . . We have been unable to find any case where the power attempted to be exercised in this case, when the contest was between life-tenant and remainderman, has been held constitutional."

The reasoning of this case is conclusive of the iniquity of the Act of 1898, so far as it authorizes the sale of vested remainders, where the vested remaindermen are adults and of sound mind. It demonstrates the propriety of having a law authorizing the State to act for infants and persons of unsound mind. It also recognizes the propriety of authorizing the sale of contingent interests, sale in the latter cases being justified on account of the fact that the contingent interests are limited to persons not in being, or not ascertained.

Legislation of this kind has been condemned by the Supreme Court of Pennsylvania, in *Shoenberger's* v. *School Directors*, 32 Pa. St. 36, where it is said:

"A system of conveyances may be inaugurated which will leave every man in doubt whether he holds his own property, or his neighbor's, or any property whatever."

In *Powers* v. *Bergen*, 6 N. Y. 366, it is held that the legislature, except in cases of necessity, arising from infancy, insanity or other incompetency, of those in whose behalf it acts, has no power to authorize by special act the sale of private property for other than public use, without the consent of the owner, the court saying:

"The legislature can exercise only such powers as have been delegated to it. . . . The power of making contracts for the sale and disposition of private property of individual owners has not been delegated to the legislature, or to others through or by any agency conferred on them for such purpose by the legislature. . . . The fundamental maxims of a free government seem to require that the rights of personal liberty and private property should be held sacred. We know of no case in which a legislative act to transfer the property of A to B without his consent has ever been held to be a constitutional exercise of legislative power, in any State in the Union. On the contrary, it has been constantly resisted as inconsistent with just principles, by every judicial tribunal in which it is attempted to be enforced. . . . I think that Judge Bronson in his very able discussion of the power of the legislature to deal with private property, has conclusively shown that except when taken for public use, the legislature has no power to transfer the property of one, without his consent, to another."

See this case commented upon at length, by Judge Cooley, in Const. Lim. (6th ed), p. 124, n.

It may be urged that the Act of 1898 is only the exercise by the legislature of the power to authorize the conversion of land into money, and that the interest of the remainderman is represented by the money instead of the land. This argument was considered in *Palairet's Appeal*, 67 Pa. St. 493, where it was said:

"It is urged that after all, it is only the exercise by the legislature of the power to authorize the conversion of land into money. . . . But this power to authorize conversion has never been recognized as constitutional by this court, except in the case of the property of persons under disabilities, or where there were contingent interests, whose owners had not come into existence, and that, too, with the consent of those standing in the fiduciary relation of trustee, guardian, or committee. But it has been expressly repudiated and denied in the case of owners *sui juris* (that is, a person competent to make a valid contract) not consenting, nor presumed from acquiescence to have consented. 'There is no adjudicated case,' says Mr. Coulter, in *Ervine's Appeal*, 4 Harris 264, 'where a legislature ordered the sale of one man's land, when he was *sui juris*, under no legal disability to act, for the benefit of another person, also *sui juris*, and where such legislative decree was sustained.' In *Kneass's Appeal*, 7 Casey, 87, . . . it was expressly held that the legislature had no power to authorize the sale of the property of parties *sui juris*, and seized of a vested estate in the premises, against their consent."

It may be argued that the court first determines that it will be to the interest of the remainderman, before the sale will be authorized, but this objection is met by the previously quoted language of the Court of Appeals of Kentucky, in *Gossom* v. *McFerran* (*supra*).

In 3 Washburn on Real Property (2d ed.) sec. 5 (side-page 539) it is said:

"In attempting to define the cases in which a legislature may, by special act, change the ownership of land, or authorize one man to transfer the interest of another in lands, there are certain principles which may be regarded as elemental, which will serve as tests to be applied to the questions as they arise, and in the first place, the power to do this does not depend upon its being by general law or special act. In the first place, where the act is based upon the assumption or exercise of judicial power, it is void, since legislatures are prohibited from the exercise of such powers. In the next place, a legislative Act cannot authorize the property of a citizen to be taken from him, through the instrumentality of a sale, or otherwise, so long as he is under no legal disability to manage his own affairs, where the effect is not to convert it to the use of the government, but to transfer it from the original owner to a third person."

To the same effect are *Hegarty's Appeal*, 75 Pa. St. 503 (per Sharswood, J.);

Gilpin v. *Williams*, 25 Ohio St. 283; *Nimmons* v. *Westfall*, 33 Ohio St. 213. The case of *Linsley* v. *Hubbard*, 44 Conn. 109, 26 Am. Rep. 431, apparently *contra*, is referred to by Judge Cooley as of doubtful authority. Const. Lim. p. 122, n. 3. Compare *Rice* v. *Parkman*, 16 Mass. 326; *Faulkner* v. *Davis*, 18 Gratt. 651, 98 Am. Dec. 698.

In the case at bar it appears that the remaindermen were in fact infants. Assuming that the Act is unconstitutional as to adults, there remains the question whether it may still stand as to infants. The solution of this question depends upon whether the two classes are separable, and whether it was the intention that the validity of one provision should depend upon the validity of the other. *Baldwin* v. *Franks*, 120 U. S. 678; *Field* v. *Clark*, 143 U. S. 649; *Little Rock etc. R. Co.* v. *Worthen*, 120 U. S. 97; *Pearson* v. *Supervisors*, 91 Va. 322; *Lacey* v. *Palmer*, 93 Va. 159. The fact that there was already abundant statutory provision for the sale of infants' interests, and that the main intention was therefore to extend the statute to adults, is to be taken into account in deciding the question.

LINDSEY & OTHERS v. ECKELS & OTHERS.*

Supreme Court of Appeals: At Richmond.

November 21, 1901.

1. CONSTRUCTION OF WRITTEN INSTRUMENTS—*Intention—How ascertained.* In construing a deed or will, the object is to ascertain the intention of the maker as gathered from the language used and the general purpose and scope of the instrument, in the light of surrounding circumstances; and when such intention clearly appears, by giving to the words their natural and ordinary meaning, technical rules of construction will not be invoked to defeat it.

2. DEEDS—*Gift to mother and her children.* A deed conveys property to a trustee for the use, maintenance and support of a mother, and for the use, maintenance and support of her issue; and the grantor further declares that it is the intention of the deed that the mother shall be supported from said property, or the proceeds thereof, during her life, and that the issue, during the life of the mother, shall be supported and educated from the proceeds of said property, and at the death of the mother, all of the property and its proceeds shall be divided equally among such issue.

Held: The mother and her issue each take an equal interest in the proceeds of the property during the life of the mother, and, at her death, the issue take the property in fee simple.

Appeal from a decree of the Corporation Court of the city of Bristol, pronounced June 15, 1900, in a suit in chancery wherein appellants were the complainants, and the appellees were the defendants.

Affirmed.

The opinion states the case.

---

*Reported by M. P. Burks, State Reporter.